

CERTIFICATE OF HAND DELIVERY

I hereby certify that this paper is being delivered by hand to the U.S. Patent Office in accordance with 37 CFR § 1.6(b), addressed to the Commissioner for Patents & Trademarks, Washington, D.C. 20231, on the date indicated.

Shirley White
Name

April 21, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Cech et al.

Filing Date: January 19, 2001

Serial No: 09/766,253

Docket: 018/180c

Title: METHOD FOR IDENTIFYING NUCLEOTIDE
SEQUENCES ENCODING TELOMERASE
PROTEIN

Art Unit: 1634

Examiner: Carla J. Myers, Ph.D.

REPLY TO COMMUNICATION
AND
REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Dear Sir,

An Amendment was filed in this application on December 24, 2002. The Patent Office mailed a communication on March 27, 2003, indicating that the Amendment took the claims outside the scope of the elected invention, and was therefore non-responsive to the Office Action of August 26, 2002.

Filed herewith are papers for requesting continued examination of the application under 37 CFR § 1.114, along with authorization to charge the Deposit Account with the requisite fee. Applicants do not agree that the previous Amendment was non-responsive to the pending Office Action. Nevertheless, to expedite prosecution, applicants have agreed to request an RCE, thereby

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providing the Office with additional resources to conduct a search and examination of the claimed subject matter.

Close of previous prosecution

To the extent necessary to comply with the requirements respecting an RCE, applicants hereby request that prosecution of the application on the subject matter in the application preceding the amendment of December 24, 2002, be considered closed.

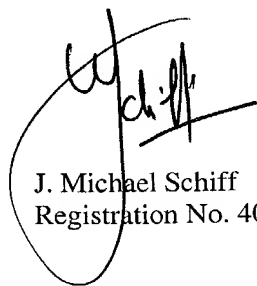
Entry of previous Amendment

If not already entered, applicants request that the Amendment of December 24, 2002 be entered into the application. Consideration of the application based on the claims and remarks submitted on December 24, 2002, is respectfully requested.

Conclusion

Should the Patent Office determine that an extension of time or any other relief is required for further consideration of this application, applicant hereby petitions for such relief, and authorizes the Assistant Commissioner to charge the cost of such petitions and other fees due in connection with the filing of these papers to Deposit Account No. 07-1139, referencing the docket number indicated above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Michael Schiff", is written over a large, loopy circular mark.

J. Michael Schiff
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April 15, 2003